

PT 12

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

REC'D 26 JAN 2005

To:
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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing
(day/month/year)

21 -01- 2005

Applicant's or agent's file reference
ENT 7

FOR FURTHER ACTION

See paragraph 2 below

International application No.
PCT/SE2004/001481

International filing date (day/month/year)
15.10.2004

Priority date (day/month/year)
22.10.2003

International Patent Classification (IPC) or both national classification and IPC
A61F 5/58, A61F 11/04 // H04R 25/00

Applicant

Entific Medical Systems AB et al

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further opinions, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/SE
Patent- och registreringsverket

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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/SE2004/001481

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 This opinion has been established on the basis of a translation from the original language into the following language, _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
 a sequence listing
 table(s) related to the sequence listing
 - b. format of material
 in written format
 in computer readable form
 - c. time of filing/furnishing
 contained in the international application as filed.
 filed together with the international application in computer readable form.
 furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/SE2004/001481

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-7	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	1-7	NO
Industrial applicability (IA)	Claims	1-7	YES
	Claims		NO

2. Citations and explanations:

Cited documents:

- D1) US 4498461 A
- D2) WO 03/001845 A1
- D3) WO 03/001846 A1
- D4) SE 427418 B
- D5) US 4685448 A
- D6) US 5478304 A
- D7) US 5961443 A
- D8) WO 00/02418 A1

Explanations:

The claims do not specify the claimed invention in a clear and concise way (PCT Article 6). Thus, the invention claimed in claim 1 is characterised by, e.g., including prior art. Furthermore, from claims 1-3 no clear definition can be gathered between said prior art and assumed new design features.

Referring to the design features of the claimed invention, i.e., irrespective of its intended use, claims 1-3 do not reveal anything beyond common knowledge and use with a hearing aid apparatus anchored to the scull bone, see, e.g., D1-D3. Claims 4-7 do not reveal anything beyond common knowledge and use with signal processing in hearing aids, anchored to the scull bone or other types, see, e.g., D4-D8. Referring to the intended use or the invention, D4-D7 reveal that the signal processing described are intended to cure stuttering.